

State of South Dakota

EIGHTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2008

862P0298

HOUSE BILL NO. 1096

Introduced by: Representatives Vehle, Deadrick, Dennert, and Elliott and Senator Hansen (Tom) at the request of the Interim Committee on Education for Divorcing Parents, Visitation, and Custody Task Force

1 FOR AN ACT ENTITLED, An Act to authorize the court appointment of parenting
2 coordinators in certain custody and visitation disputes.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 25-4 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 In any custody or visitation dispute between parents, the court may appoint a parenting
7 coordinator to assist the parents in resolving contested issues. The Supreme Court shall
8 promulgate rules pursuant to § 16-3-1 to prescribe the authority, duties, appointment, and
9 compensation of parenting coordinators.

10 Section 2. That chapter 25-4 be amended by adding thereto a NEW SECTION to read as
11 follows:

12 If the appointment is made with the agreement of the parties, the parenting coordinator's
13 determinations are binding until such time as the court may, upon motion, rule otherwise. If the
14 appointment is made by the court, over the objection of one or both parties, the parenting



- 1 coordinator's determinations shall be recommendations to the court, to be adopted, modified,
- 2 or rejected using the same process as child support referees' recommendations are reviewed.